

EXHIBIT 18

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

JEROME L. JOHNSON

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Plaintiff : Civil Action No.:

Vs. : ECH-19-00698

BALTIMORE POLICE

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DEPARTMENT, ET AL

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Defendants

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Deposition of LAUREN LIPSCOMB, was taken on Monday, June 28, 2021, commencing at 9:07 a.m., at Owings Mills, Maryland, before MICHELE D. LAMBIE, Notary Public.

Reported By:

Michele D. Lambie, CSR-RPR

1 the Conviction Integrity Unit? What happens once
2 the person fills out the application?

3 A. The case -- the case is reviewed and
4 screened. Well, it's actually screened first to
5 make sure that it's a Baltimore City case and that
6 it's -- there's an allegation of factual innocence.

7 Q. And who does the screening?

8 A. The law clerk and an ASA.

9 Q. How many people are now a part of the
10 Conviction Integrity Unit, Ms. Lipscomb?

11 A. The unit has four ASAs, a law clerk, two
12 support staff and an investigator.

13 Q. The unit as it is currently constructed,
14 does it take any and all applications that come in
15 or is there a -- aside from the screening, which
16 you explained as it being from Baltimore City and
17 there's a -- there must be an issue of factual
18 innocence, is there any other determining factor
19 that allows you or as far as your guidelines are
20 concerned that allows you to take the case?

21 A. So, anyone can fill out the application.

1 and?

2 A. Whatever -- it depends.

3 Q. And what does it depend on?

4 A. Hmm. I think that would call for

5 speculation because I don't screen the cases.

6 Q. Well, as the -- as the chief of the
7 Conviction Integrity Unit, do you -- do you give
8 some type of a parameter as to kind of listing once
9 it's screened, kind of what the next process should
10 be?

11 A. So, that's a separate question. If
12 you're asking specifically who specifically screens
13 the cases, that could be the law clerk and/or the
14 ASA.

15 Generally speaking, what is our process?
16 That's a separate question. Generally speaking,
17 our process is once the cases are screened and it
18 is determined that they are Baltimore City cases
19 and that there is an allegation of factual
20 innocence, then depending on whether the cases meet
21 that -- those screening criterion, then they are

1 escalated into the initial review process.

2 The initial review process is one where
3 the cases are reviewed a little bit more in-depth.

4 Q. And after that initial review process,
5 who does that review?

6 A. The law clerk and -- well, the law clerk
7 overseen by the ASA.

8 Q. And at that initial review process, what
9 exactly is the law clerk, who is overseen by the
10 AUSA, what are they reviewing for?

11 A. We're not federal --

12 MS. SHIFF: Wait a minute. Wait a
13 minute. Let me object because it's not an AUSA.
14 It's an ASA. Just I want to -- I don't know if I'm
15 hearing you properly, and --

16 MR. FLOWERS: No. I --

17 MS. SHIFF: -- but I want to make sure.
18 We're not federal. This is a state, so it's an
19 Assistant State's Attorney as opposed to Assistant
20 U.S. Attorney.

21 MR. FLOWERS: I think I did say ASA, but

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1 if I didn't say ASA, that's what I meant. I'm very
2 well aware of that.

3 MS. SHIFF: Okay. I just want to make
4 sure the record is clear. Go on.

5 MR. FLOWERS: No, no. Good enough, and I
6 do appreciate the objection.

7 MS. SHIFF: I'm sorry.

8 MR. FLOWERS: I do want to make sure the
9 record is clear. ASA, Assistant State's Attorney,
10 is what we're asking about.

11 BY MR. FLOWERS:

12 Q. So, the question then, Ms. Lipscomb, is
13 at that initial review stage, what is the law clerk
14 looking for or doing as he or she is overseen by
15 ASA?

16 A. The law clerk is performing whatever
17 tasks are -- are needed in order to accomplish the
18 initial review.

19 Q. And what do those tasks consist of?

20 A. Document gathering, reviewing documents
21 among other tasks.

1 Q. Once that initial -- is that the only
2 thing that -- that is required at the initial
3 review, the document gathering, the reviewing of
4 documents among other tasks? Is there -- is
5 there -- is there more that the law clerk would be
6 expected to do at that initial review stage?

7 A. Not likely, but it's fluid. You're not
8 going to get a definitive answer because it's
9 fluid, whatever the tasks are that need to be done.

10 Q. And when does a definitive answer come
11 out of that initial review? How long does it
12 typically take --

13 A. Now we're --

14 Q. -- for that initial review?

15 A. I think you need to be more specific.
16 Are we now talking about the law clerk? Are we
17 talking about the ASA? Are we talking about the
18 process overall? What's the specific question?

19 Q. The specific question is, my
20 understanding from your testimony was that there's
21 a law clerk who conducts this initial review; is

1 duration for that initial review based off your
2 experience?

3 A. It varies.

4 MS. SHIFF: Objection. Go ahead.

5 THE WITNESS: It varies. If you have a
6 question specific to this particular case, I might
7 be able to ballpark it a little bit better.

8 However, when you're speaking in generalities about
9 cases, like I've already explained here, I do
10 not -- we are not in the business of writing down
11 time as we review. It is almost impossible to
12 quantify. It really varies from case to case.

13 BY MR. FLOWERS:

14 Q. Let me ask you specifically for the
15 Jerome Johnson case, how long did the initial
16 review take?

17 A. In the Jerome Johnson case, it was a case
18 that was presented by Nancy Forster, and based on
19 her presentation, it was a case that needed an
20 investigation. So, the initial review process was
21 almost none --

1 Q. What --

2 A. -- because the case came in and was
3 almost -- almost immediately slated for a
4 reinvestigation.

5 Q. And when you say almost immediately
6 slated for reinvestigation, how long did that take?

7 A. What I'm trying not to do is to get into
8 minutes, seconds, and hours. So, when I say almost
9 immediate, I mean almost immediately.

10 I don't want to say immediately because I
11 don't want the follow-up question to be, what does
12 that mean?

13 I'm saying it was presented by Nancy
14 Forster. Based on the information that she gave
15 us, almost immediately it was slated for a
16 reinvestigation. There was very little initial
17 review, very little.

18 Q. And why are you not wanting to talk in
19 terms of minutes, seconds or hours about the
20 initial review process? Why don't you --

21 MS. SHIFF: Objection.

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1 THE WITNESS: Because that's speculative.

2 BY MR. FLOWERS:

3 Q. Okay. And I'm just trying to ask you not
4 to speculate, but just based on your experience, to
5 the best of your memory of this case, you're unable
6 to say for this case, for which you're being
7 deposed, how long the initial review process was
8 aside from saying that it was pretty much
9 immediately taken to the reinvestigation stage; do
10 I understand your testimony?

11 MS. SHIFF: Objection.

12 THE WITNESS: The question has been
13 answered as almost no initial review. That's not I
14 don't know. That's not I'm not able. The answer
15 is almost no.

16 BY MR. FLOWERS:

17 Q. Okay. All right. After the initial
18 review process, what's the next step in the stage
19 of -- of a case that comes to you, Ms. Lipscomb?

20 A. So, we're flipping back to general or are
21 we specific within Jerome Johnson?

1 Q. We're going back to general.

2 A. Okay. So, after the initial review
3 process, depending on what has -- what's
4 been -- whether there's strong indicia of factual
5 innocence, the case may be elevated into a
6 reinvestigation.

7 Q. And what do you look for to try to
8 determine that there is factual innocence enough to
9 elevate the case to reinvestigation?

10 A. It depends on -- it depends on various
11 factors. There is no specific formula as to what
12 would qualify a case to be escalated into a
13 reinvestigation. There needs to be strong indicia
14 of factual innocence.

15 Q. I understand that you said it depends on
16 various factors. Can you share what those factors
17 are?

18 A. It -- it varies from case to case.
19 It's -- it's not possible to -- you know, it
20 depends on what's being presented; witnesses,
21 statements, evidence. It depends from case to case

1 Johnson case?

2 A. I think that the documents you have would
3 be the best answer to that because I don't remember
4 off the top of my head. It was four years ago.

5 Q. No. Fair enough. Let me show
6 you -- I'll tell you what, we'll get to those
7 documents, but let's keep walking down this road of
8 kind of how a case gets kind of through the process
9 at the Conviction Integrity Unit.

10 Once it's at that reinvestigation stage,
11 what is the -- the next step, Ms. Lipscomb?

12 A. Once a case has been investigated,
13 if -- if it is a case in which the person -- if the
14 case is such that the person was likely factually
15 innocent -- so, there are two ways out of an
16 investigation. One is that we investigate the
17 case, and it does not appear that the person was
18 wrongfully convicted and that they -- there are too
19 many negatives in this.

20 It -- it does not appear that the person
21 was wrongfully convicted/it appears as though the

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1 person was not or is not factually innocent, so
2 that's the end of it. That's the end of the case
3 in terms of our review, or it appears as though the
4 person was wrongfully convicted and is factually
5 innocent, and it gets escalated by me to the final
6 review process.

7 Q. All right. And that latter piece there
8 when it gets escalated by you to that final review
9 process, what does that final review process look
10 like?

11 A. That's a review by the deputies and the
12 State's Attorney.

13 Q. Okay. And, I'm sorry, I should have
14 asked you at the very beginning of this deposition.
15 How would you like me to refer to you, ASA
16 Lipscomb, Ms. Lipscomb, something else? What is
17 the -- what would you prefer?

18 A. Ms. Lipscomb is fine. It doesn't have to
19 be ASA Lipscomb, no.

20 Q. Okay. Ms. Lipscomb, when it gets
21 referred then to that -- that final review

1 and -- that final review process after the
2 investigation, who are the deputies that review
3 kind of -- I guess who steps in at that stage?

4 MS. SHIFF: Are you asking currently or
5 in 2012 or when in the timeline? Since she been
6 chief of the unit? It may have changed.

7 MR. FLOWERS: Okay. Fair enough.

8 BY MR. FLOWERS:

9 Q. Let's start with in 2018, during the
10 Jerome Johnson case, who would have been the
11 deputies that would have looked at the case after
12 it had been reinvestigated?

13 A. The deputies at that time --
14 definitely -- Jim Bledsoe definitely was one of the
15 deputies as well as Patricia DeMaio. What I'm not
16 certain about is whether Tony Gioia had moved on to
17 chief counsel or not at that point.

18 Q. Fair enough. And at that process or at
19 that stage, Ms. Lipscomb, you said there was a
20 review by deputies. Is there a review by anyone
21 else? I'm not sure I remember exactly if it was

1 just deputies or if there was somebody else who
2 also reviewed at that process -- at that stage
3 rather?

4 A. Well, the protocols are that the deputy
5 over CIU and the chief deputy review as well as the
6 State's Attorney, and so I don't really know -- if
7 you're speaking generally, that's generally --
8 that's our process. So, the deputy over CIU and
9 the chief deputy review the matter as well as the
10 State's Attorney.

11 Q. Okay. Very well. And that review
12 is -- how does that -- how does that take place?
13 Is that a meeting? Is that a series of meetings?
14 Are there memos written? Can you just explain kind
15 of how that review takes place?

16 A. Generally speaking, it's a series of
17 meetings, a review of the memo, phone calls.

18 Q. And at that stage in the process, what
19 are the -- the deputy over CIU, the chief deputy
20 and the State's Attorney, what are they looking for
21 at that process? What's the decision to be made at

1 Q. No, I understand. I understand your
2 testimony is you don't know how many
3 non-exoneration cases you have had from 2015 to
4 2021; is that correct?

5 MS. SHIFF: Objection.

6 THE WITNESS: A specific number, no.
7 BY MR. FLOWERS:

8 Q. In the reinvestigation stage,
9 Ms. Lipscomb, who takes part at that stage of -- of
10 the case?

11 MS. SHIFF: And I just have to say I lost
12 the first part of that question because I think you
13 were speaking away from your microphone again. So,
14 could you please restate the question?

15 MR. FLOWERS: Yes.

16 BY MR. FLOWERS:

17 Q. The question is, in the -- in the
18 reinvestigation stage -- in the protocol when we're
19 at the reinvestigation part, who are the personnel
20 that take part in that reinvestigation stage?

21 A. Currently the reinvestigation -- the

1 reinvestigation is conducted by the full-time
2 investigator, ASA, law clerk, and me. I oversee
3 the investigation.

4 Q. Is it fair to say that you have
5 sufficient resources to conduct those
6 reinvestigations, Ms. Lipscomb?

7 A. I don't think anyone in Baltimore City
8 working for the government would say that we have
9 sufficient resources for anything.

10 Q. Fair enough.

11 A. That's very generous.

12 Q. Fair enough. Fair enough. Let me ask,
13 if you could have more resources, Ms. Lipscomb, if
14 you could be in charge of the money, what more
15 would you -- would you have?

16 MS. SHIFF: Objection. I think that's an
17 in- -- I think that's not a proper question.

18 BY MR. FLOWERS:

19 Q. You may answer.

20 A. We're able to get our work done.

21 Q. Is it fair enough -- is it fair to say

1 Office, what is the next step?

2 A. Release.

3 Q. And what does release entail?

4 A. Thus far, it has been to file a Joint
5 Writ of Actual Innocence Petition with the Court.

6 Q. And with that Joint Writ of Actual
7 Innocence Petition, you go before the Court and
8 explain why this person is factually innocent; is
9 that fair to say?

10 A. Pretty much.

11 Q. And you say that it's joint, because
12 typically you're joining with the person's
13 post-conviction counsel; is that how it typically
14 works?

15 A. I -- well, defense counsel, period. I
16 don't know whether they're post-conviction. You
17 know, it depends, but defense counsel, period.
18 Yes.

19 Q. And when you go before the Court, the
20 Court ultimately makes a determination; is that
21 correct, about whether the person is factually

1 Q. Okay. And under that subheading,
2 Ms. Lipscomb, do you see what looks like a
3 synopsis, a summary of each day in trial, kind of
4 who testified and basically what they said? Do you
5 see that?

6 A. Yes.

7 Q. And in making your reinvestigation of
8 this case, it's fair to say you considered what
9 happened at trial?

10 A. Yes.

11 Q. It's fair to say you reviewed all of the
12 trial transcripts?

13 A. Yes.

14 Q. Then we get to page 15 of your memo here,
15 and that's the reinvestigation, and it says here On
16 October (sic) 29th, 2017, Nancy Forster met with
17 ASA Andrea Mason. Do you see that language there,
18 Ms. Lipscomb?

19 A. Yes.

20 Q. And that's the system with which you
21 testified earlier, that Ms. Forster came to the

1 were not present at the murder?

2 A. Correct.

3 Q. Okay. Moving further down the page, a
4 little bit past halfway, you have a subheading for
5 the Witness Interviews.

6 A. Oh, and I have to correct myself. We did
7 speak to Steve Owens.

8 Q. Well, that's fine. This is not a test,
9 and that's why --

10 A. No. I just am noticing it. I'm noticing
11 that I did speak to him.

12 Q. Yes.

13 A. Yeah.

14 Q. Okay.

15 A. I didn't remember. Okay.

16 Q. That's exactly why we wanted to walk
17 through it because there's a lot here because of
18 how meticulous the investigation was.

19 All right. So, for the witness
20 interviews, is it -- is it fair to say that you
21 spoke to PO Steve Owens?

1 A. Yes.

2 Q. Fair to say you spoke to Investigator
3 Tony Wilson, who was Nancy Forster's investigator?

4 A. Yes.

5 Q. You also spoke with Reggie or Reginald
6 Dorsey, I should say?

7 A. Yes.

8 Q. And then it says that you looped in the
9 Mid-Atlantic Innocence Project. What do you mean
10 by that, Ms. Lipscomb? I think I know what you
11 mean, but just for the record, what do you mean by
12 that?

13 A. They are -- they are our grant partners.
14 At the time, they were our grant partners.

15 It's actually another grant that we're
16 grant partners with now, and so they were
17 co-counsel with Nancy Forster.

18 Q. And then after the mention of the
19 Mid-Atlantic Innocence Project, you spoke with
20 Marvin Reid, who was the human shield; is that fair
21 to say?

1 A. Yes.

2 Q. You then spoke with Tanya Lazenby. Do
3 you see that indication there --

4 A. Yes.

5 Q. -- on page 21 of Plaintiff's Exhibit 7?
6 Okay.

7 You also spoke with Donald Parker, who
8 was the victim's brother, do you see that?

9 A. Yep. Yep.

10 Q. You spoke with Gwendolyn Taylor
11 also --

12 A. Yes.

13 Q. -- who was the victim's next of kin, is
14 that fair to say?

15 A. Yes.

16 Q. You spoke to my client, Mr. Jerome
17 Johnson, do you see that there?

18 A. Yes.

19 Q. You also spoke with Tommy Carroll?

20 A. Yes.

21 Q. And you spoke with Alvin Morgan?

1 A. Yes.

2 Q. And Allen Snead?

3 A. Yes.

4 Q. Did you speak with Allen Snead? All
5 right. And you spoke with Deborah McFadden?

6 A. Yes.

7 Q. And you spoke to --

8 A. Well, I didn't. No, I didn't.

9 Q. Fair enough. For the reinvestigation, I
10 think you have already explained several times that
11 that reinvestigation includes people besides
12 yourself. So, as part of that reinvestigation,
13 these are the people that were spoken to; is that
14 fair to say?

15 A. Yes.

16 Q. And then moving on to page 23. You spoke
17 with Tommy Carroll, who was a codefendant in the
18 case --

19 A. Yes.

20 Q. -- in the murder case?

21 A. Yes.

1 Q. You also spoke with Alvin Morgan; is that
2 correct? Or the Conviction Integrity Unit
3 personnel; spoke with Alvin Morgan?

4 A. Yes.

5 Q. You actually were part of that interview
6 if I read the first line correctly.

7 Then moving beyond Alvin Morgan, the
8 reinvestigation, spoke to Allen Snead; is that
9 correct?

10 A. Yes.

11 Q. I'm sorry, I should be moving this
12 through for you.

13 All right. And then on page 24, it looks
14 like you spoke to five other people. Does that
15 make sense? Does that -- have I counted that
16 correctly?

17 A. Yes.

18 Q. Including Lekisha Snead; is that correct?

19 A. Yes.

20 Q. Okay. And beyond speaking to people and
21 reviewing documents and doing a thorough

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1 investigation, you also listened to jail calls; is
2 that correct?

3 A. Yes.

4 Q. And then at the end of your -- of your
5 25-page memo, you also mention at least folks that
6 you were unable to contact, but at least you
7 thought of with respect to the reinvestigation. Is
8 that a fair characterization of the names or, I
9 guess, five people that are mentioned --

10 A. Yes.

11 Q. -- at the end of page 25?

12 A. Yes.

13 MR. ARNOLD: Objection to form.

14 Mr. Flowers, if you're at the end of your analysis
15 of this exhibit, potentially could we take a
16 two-minute break?

17 MR. FLOWERS: Certainly, yeah. This is
18 probably a good time to take a quick two-minute
19 break because we do have a ways to go, but
20 certainly.

21 MR. ARNOLD: Thank you, Mr. Flowers.

1 the law, and we can take it up with the Judge.

2 MS. SHIFF: I think we're going to
3 disagree about a lot of things with regard to
4 Mr. Phillips, but given our time constraints today,
5 I think you should move on.

6 MR. FLOWERS: I would like to move on,
7 and, again, it's my deposition, and I'm trying to
8 be very mindful of you trying to get out of here at
9 3:15.

10 BY MR. FLOWERS:

11 Q. Ms. Lipscomb, the memorandum that we've
12 been discussing, Plaintiff's Exhibit 7, was that
13 memorandum reviewed by anyone in your State's
14 Attorney's Office?

15 A. Yes.

16 Q. Without telling me what was said, who
17 were the reviewers of the memorandum?

18 A. Well, I know the State's Attorney, and at
19 a minimum, probably two of the deputies, at a
20 minimum, because that is required. Most likely all
21 of the deputies.

1 A. Yeah.

2 Q. -- I was just going to say you know the
3 document way better than I, so can I scroll to the
4 section and then place it on the record and --

5 A. Sure.

6 Q. -- then we'll go from there? Thank you.

7 So, when you reference Petitioner's
8 Investigation and Argument on subsection 5, I
9 believe that's on page 6, is that a fair statement?

10 A. Yes.

11 Q. Okay. And I apologize for cutting you
12 off. You were saying that this section is what?

13 A. That is the petitioner's investigation
14 and argument.

15 Q. So, anything that's within subsection 5
16 would not necessarily be facts that you are
17 adopting to reach your conclusion?

18 A. Correct.

19 Q. And then state -- subsection 6, State
20 Investigation by the Conviction Integrity Program,
21 that would be where you are adopting the state's

1 position, is that a fair statement?

2 A. That is -- well, not adopting. That is
3 our state position.

4 Q. That is your position?

5 A. Yes.

6 Q. Thank you. So, on page 9, for instance,
7 which I believe we are still in subsection 5, the
8 top line that starts, Most significantly reads,
9 Most significantly an undisclosed police report
10 drafted by Officer Jones indicates -- actually,
11 strike that. I want to go to a different part.

12 Okay. We'll move on.

13 Ma'am, are you able to say whether any
14 documents definitively were not disclosed in this
15 case?

16 A. No.

17 Q. Are you able to say that there are any
18 Brady violations that were committed in this case?

19 A. No.

20 Q. Either by the State's Attorney's Office
21 or the Baltimore Police Department?

1 A. Most likely, yes.

2 Q. When you say most likely, is it possible
3 that you would have had a conversation that would
4 not have been memorialized?

5 A. I highly doubt it. I do not believe that
6 we spoke to him. I highly doubt it, and -- no,
7 I -- I don't -- I don't believe we spoke to him at
8 all, no, and I also now am remembering that he was
9 already retired from the office. I think he
10 retired in '14 I think.

11 Q. So, then it's fair to say you haven't
12 received his position as to whether there was an
13 open-file discovery at the time of the --

14 A. No.

15 Q. -- Jerome Johnson case?

16 A. No. No. I haven't spoken to him,
17 period. Let me make that clear.

18 Q. Okay.

19 A. Okay.

20 Q. And through you -- your and your office's
21 investigation, do you also review the

1 post-conviction filings that are available to you?

2 A. Yes.

3 Q. And in a case like Jerome Johnson's,
4 there have been a lot of them. Have you reviewed
5 all of them or what's available to you? How does
6 it work?

7 A. Whatever -- we pull back whatever
8 documents we have. So, whatever -- whatever is in
9 the file is what we have.

10 Q. And if I'm understanding you correctly,
11 whatever is in the file, you mean the SAO trial
12 file?

13 A. Well, yes. I mean, the SAO trial file;
14 however, when we are doing a review of -- when
15 we're doing an investigation, we pull back all of
16 the -- if there's a separate post-conviction file,
17 that is pulled back and consolidated.

18 So, when we scan in for -- when I say
19 2017/2018, we're looking at the file, we've got
20 everything that has been generated for Jerome
21 Johnson's file.

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1 Q. And the name Paul Burton, does that
2 register with you?

3 A. Not at all.

4 Q. I noticed that Mr. Burton's name didn't
5 appear anywhere in your memorandum, is that a fair
6 statement?

7 A. Yes. That's a fair statement; yes.

8 Q. Is that normal to not talk with someone
9 who has alleged to have handed the murder weapon to
10 the shooter?

11 A. It depends on whether there is some
12 indicia of credibility and --

13 Q. What do you mean by that, if you don't
14 mind me asking?

15 A. So, one of the things that is readily
16 apparent when reading that paragraph is that it
17 doesn't jive with what was presented at trial.

18 The circumstances of how the shooting
19 took place, the circumstances and the witnesses'
20 position of the individuals that participated in
21 this thing does not match what was said in that

1 Affidavit.

2 Moreover, the -- there were I
3 think -- there was a -- the actual -- the room in
4 the Night Owl where this thing took place and how
5 the circumstances and the positioning of the
6 individuals that were corroborated by everyone who
7 was in that room does not jive with that Affidavit.

8 And so, when I say if there's indicia of
9 credibility, I mean exactly that. If there's
10 indicia of credibility, then we look into it.

11 The fact that there's no reference of
12 that Affidavit, no reference of -- of whoever that
13 was, Paul Burton, if it didn't make it into the
14 memo and it wasn't talked about at all, that's
15 because I determined at some point that there was
16 no credibility whatsoever to be assigned to it.

17 Q. Very well. So, you would agree then that
18 under the indicia of reliability that you just
19 referenced that the Alvin Hill Affidavit includes
20 material facts that are not true?

21 A. I don't know that I would go as far to

1 not --

2 A. I didn't mention it.

3 Q. Were not -- Ms. Lipscomb, I'm willing to
4 represent that I don't believe there's a specific
5 reference from you in the joint petition.

6 If the defense represented facts in your
7 joint petition that you knew were not true, would
8 you have signed on to the joint petition?

9 A. If the defense represented that I knew
10 were not true?

11 Q. Yes.

12 A. Of course not, no. I mean, I
13 don't --

14 Q. I want to give you as much time to answer
15 that question, but out of respect for Ms. Shiff, I
16 do want to end there unless you're finished
17 answering your question.

18 A. (No response.)

19 MR. ARNOLD: Okay. It is 2:58. I think
20 we need to stay on the record briefly.

21 Mr. Flowers --

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1 State of Maryland

2 County of Baltimore, to wit:

3 I, Michele D. Lambie, a Notary Public of
4 the State of Maryland, County of Baltimore, do
5 hereby certify that the within-named witness
6 personally appeared before me at the time and place
7 herein set out, and after having been duly sworn by
8 me, according to law, was examined by counsel.

9 I further certify that the examination
10 was recorded stenographically by me and this
11 transcript is a true record of the proceedings.

12 I further certify that I am not of
13 counsel to any of the parties, nor related to any
14 of the parties, nor in any way interested in the
15 outcome of this action.

16 As witness my hand and notarial seal this
17 30th day of June 2021.

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VOLUME 2

2

IN THE UNITED STATES DISTRICT COURT FOR THE

3

DISTRICT OF MARYLAND

4

5

JEROME JOHNSON

No. 19-cv-698

6

7

Plaintiff

Judge Ellen L. Hollander

8

9

v.

JURY TRIAL DEMANDED

10

11

BALTIMORE POLICE DEPARTMENT,

12

et al.

13

Defendants

14

/

15

The deposition via videoconference of

16

LAUREN LIPSCOMB was held on Thursday August 5, 2021,

17

commencing at 1:06 p.m., virtual location, before

18

Robert A. Shocket, a Notary Public.

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REPORTED BY: Robert A. Shocket

1 with police would not help refresh your recollection as
2 to what Reginald Dorsey stated to police?

3 MR. FLOWERS: Again objection, asked and
4 answered, calls for speculation.

5 A Correct. I was not present in 1988 so it
6 would not refresh my recollection as to what Reginald
7 Dorsey stated to police because I was not there.

8 Q. Thank you. In investigating this case did
9 you review jail calls?

10 A Yes.

11 Q. Is it fair to say that you would not have
12 reviewed jail calls after the date of the joint
13 petition?

14 A That I would not have reviewed jail calls
15 after the date of the joint petition? I have no idea
16 whether we did or not. I have no clue.

17 Q. So is it possible that your office
18 continued to investigate this case after the joint
19 petition was filed -- and forgive me, I'm loading the
20 actual date -- in June of 2018?

21 MR. FLOWERS: Objection. Calls for

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1 State of Maryland

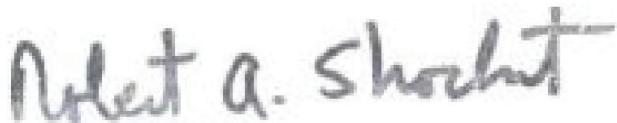
2 Baltimore County, to wit:

3 I, ROBERT A. SHOCKET, a Notary Public of
4 the State of Maryland, County of Baltimore, do hereby
5 certify that the within-named witness remotely appeared
6 before me at the time and place herein set out, and
7 after having been remotely sworn by me, according to
8 law, was examined by counsel.

9 I further certify that the examination was
10 recorded stenographically by me and this transcript is
11 a true record of the proceedings.

12 I further certify that I am not of counsel
13 to any of the parties, nor in any way interested in the
14 outcome of this action.

15 As witness my hand this 19th day of
16 August, 2021.

17 
18

19 Robert A. Shocket, Notary Public

20 My Commission Expires:

21 November 23, 2022